

UNITED STATES DISTRICT COURT  
Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Nov 28, 2017

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA  
V.  
CYBIL M. IMHOLT

JUDGMENT IN A CRIMINAL CASE

Case Number: 2:16CR00198-SMJ-1

USM Number: 20226-085

John Barto McEntire, IV

Defendant's Attorney



THE DEFENDANT:

☒ pleaded guilty to count(s) 1 of the Information Superseding Indictment

☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.

☐ was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. § 1349	Conspiracy to Commit Bank Fraud	04/15/14	1s

The defendant is sentenced as provided in pages 2 through 10 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_

☒ Count(s) All remaining counts ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

11/21/2017

Date of Imposition of Judgment

Signature of Judge

The Honorable Salvador Mendoza, Jr. Judge, U.S. District Court

Name and Title of Judge

11/28/2017

Date

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## IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

Time heretofore served by the defendant. Defendant shall not receive any additional term of imprisonment in this matter. Defendant shall receive credit for time served in federal custody prior to sentencing in this matter.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

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## SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of : 5 years

## MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
  - ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
5. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
6. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

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### **SPECIAL CONDITIONS OF SUPERVISION**

1. You must provide the supervising officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office. You must disclose all assets and liabilities to the supervising officer. You must not transfer, sell, give away, or otherwise convey any asset, without the advance approval of the supervising officer.
2. You must not incur any new debt, open additional lines of credit, or enter into any financial contracts, without the advance approval of the supervising officer.
3. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.
4. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
5. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.

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### CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	\$ 100.00	\$ 0.00	\$ 0.00	\$ 26,961.41

☐ The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☒ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Natalya Herski	\$100.00	\$100.00	
Geoff McLaughlin	\$200.00	\$200.00	
Terry Burt	\$410.00	\$410.00	
L. Jean Wasser	\$320.00	\$320.00	
Horizon Credit Union	\$595.00	\$595.00	
Pawn 1	\$280.00	\$280.00	
Bank of America FIA Card Services	\$1,500.00	\$1,500.00	
Chase Bank	\$2,559.00	\$2,559.00	
CitiBank	\$1,800.66	\$1,800.66	
STCU	\$14,730.06	\$14,730.06	
Umpqua Bank	\$500.00	\$500.00	
<b>TOTALS</b>	\$ 26,961.41	\$ 26,961.41	

☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☒ the interest requirement is waived for the ☐ fine ☒ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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**ADDITIONAL RESTITUTION PAYEES**

<b><u>Name of Payee</u></b>	<b><u>Total Loss*</u></b>	<b><u>Restitution Ordered</u></b>	<b><u>Priority or Percentage</u></b>
Umpqua Bank	\$1,067.14	\$1,067.14	
U.S.Bank	\$1,375.00	\$1,375.00	
Money Tree	\$460.00	\$460.00	
Netflix	\$210.00	\$210.00	
Numerica Credit Union	\$854.55	\$854.55	

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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## SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A** ☐ Lump sum payment of \$ \_\_\_\_\_ due immediately, balance due
- ☐ not later than \_\_\_\_\_, or  
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☒ F below); or
- C** ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☒ Special instructions regarding the payment of criminal monetary penalties:

While on supervised release, monetary penalties are payable on a monthly basis of not less than \$25.00 per month or 10% of the defendant's net household income, whichever is less, commencing 30 days after the defendant is released from imprisonment.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the following address until monetary penalties are paid in full: Clerk, U.S. District Court, Attention: Finance, P.O. Box 1493, Spokane, WA 99210-1493.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☒ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (*including defendant number*), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

Cybil Imholt 2:16CR0198-SMJ-1	\$100.00	\$100.00	Natalya Herski
Brendon McCullough 2:16CR198-SMJ-2	\$100.00	\$100.00	Natalya Herski
Jason Genge 2:16CR0198-SMJ-3	\$100.00	\$100.00	Natalya Herski

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☒ The defendant shall forfeit the defendant's interest in the following property to the United States:

See "Additional Forfeited Property" Sheet.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT A assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

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## ADDITIONAL DEFENDANTS AND CO-DEFENDANTS HELD JOINT AND SEVERAL

<b>Case Number</b> <b>Defendant and Co-Defendant Names</b> <b>(including defendant number)</b>	<b>Total Amount</b>	<b>Joint and Several Amount</b>	<b>Corresponding Payee,</b> <b>If appropriate</b>
Amy Jo Williams 2:16CR0198-SMJ-04	\$100.00	\$100.00	Natalya Herski
Cybil Imholt 2:16CR0198-SMJ-1	\$200.00	\$200.00	Geoff McLaughlin
Brendon McCullough 2:16CR198-SMJ-2	\$200.00	\$200.00	Geoff McLaughlin
Jason Genge 2:16CR0198-SMJ-3	\$200.00	\$200.00	Geoff McLaughlin
Amy Jo Williams 2:16CR0198-SMJ-04	\$200.00	\$200.00	Geoff McLaughlin
Cybil Imholt 2:16CR0198-SMJ-1	\$410.00	\$410.00	Terry Burt
Brendon McCullough 2:16CR198-SMJ-2	\$410.00	\$410.00	Terry Burt
Jason Genge 2:16CR0198-SMJ-3	\$410.00	\$410.00	Terry Burt
Amy Jo Williams 2:16CR0198-SMJ-04	\$410.00	\$410.00	Terry Burt
Cybil Imholt 2:16CR0198-SMJ-1	\$320.00	\$320.00	L. Jean Wasser
Brendon McCullough 2:16CR198-SMJ-2	\$320.00	\$320.00	L. Jean Wasser
Cybil Imholt 2:16CR0198-SMJ-1	\$595.00	\$595.00	Horizon Credit Union
Brendon McCullough 2:16CR198-SMJ-2	\$595.00	\$595.00	Horizon Credit Union
Jason Genge 2:16CR0198-SMJ-3	\$595.00	\$595.00	Horizon Credit Union
Amy Jo Williams 2:16CR0198-SMJ-04	\$595.00	\$595.00	Horizon Credit Union
Cybil Imholt 2:16CR0198-SMJ-1	\$280.00	\$280.00	Pawn 1
Brendon McCullough 2:16CR198-SMJ-2	\$280.00	\$280.00	Pawn 1
Jason Genge 2:16CR0198-SMJ-3	\$280.00	\$280.00	Pawn 1
Amy Jo Williams 2:16CR0198-SMJ-04	\$280.00	\$280.00	Pawn 1
Cybil Imholt 2:16CR0198-SMJ-1	\$1,500.00	\$1,500.00	Bank of America FIA Card Services
Brendon McCullough 2:16CR198-SMJ-2	\$1,500.00	\$1,500.00	Bank of America FIA Card Services
Jason Genge 2:16CR0198-SMJ-3	\$1,500.00	\$1,500.00	Bank of America FIA Card Services
Amy Jo Williams 2:16CR0198-SMJ-04	\$1,500.00	\$1,500.00	Bank of America FIA Card Services
Cybil Imholt 2:16CR0198-SMJ-1	\$2,559.00	\$2,559.00	Chase Bank
Brendon McCullough 2:16CR198-SMJ-2	\$2,559.00	\$2,559.00	Chase Bank
Jason Genge 2:16CR0198-SMJ-3	\$2,559.00	\$2,559.00	Chase Bank
Amy Jo Williams 2:16CR0198-SMJ-04	\$2,559.00	\$2,559.00	Chase Bank
Cybil Imholt 2:16CR0198-SMJ-1	\$1,800.66	\$1,800.66	Citibank
Brendon McCullough 2:16CR198-SMJ-2	\$1,800.66	\$1,800.66	Citibank
Jason Genge 2:16CR0198-SMJ-3	\$1,800.66	\$1,800.66	Citibank
Amy Jo Williams 2:16CR0198-SMJ-04	\$1,800.66	\$1,800.66	Citibank
Cybil Imholt 2:16CR0198-SMJ-1	\$14,730.06	\$14,730.06	STCU
Brendon McCullough 2:16CR198-SMJ-2	\$14,730.06	\$14,730.06	STCU



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**ADDITIONAL DEFENDANTS AND CO-DEFENDANTS HELD JOINT AND SEVERAL**

**Case Number**

**Defendant and Co-Defendant Names  
(including defendant number)**

**Total Amount**

**Joint and Several  
Amount**

**Corresponding Payee,  
If appropriate**

Jason Genge 2:16CR0198-SMJ-3	\$14,730.06	\$14,730.06	STCU
Amy Jo Williams 2:16CR0198-SMJ-04	\$14,730.06	\$14,730.06	STCU
Cybil Imholt 2:16CR0198-SMJ-1	\$500.00	\$500.00	Umpqua Bank
Brendon McCullough 2:16CR198-SMJ-2	\$500.00	\$500.00	Umpqua Bank
Jason Genge 2:16CR0198-SMJ-3	\$500.00	\$500.00	Umpqua Bank
Amy Jo Williams 2:16CR0198-SMJ-04	\$500.00	\$500.00	Umpqua Bank
Cybil Imholt 2:16CR0198-SMJ-1	\$1,067.14	\$1,067.14	Umpqua Bank
Brendon McCullough 2:16CR198-SMJ-2	\$1,067.14	\$1,067.14	Umpqua Bank
Jason Genge 2:16CR0198-SMJ-3	\$1,067.14	\$1,067.14	Umpqua Bank
Amy Jo Williams 2:16CR0198-SMJ-04	\$1,067.14	\$1,067.14	Umpqua Bank
Cybil Imholt 2:16CR0198-SMJ-1	\$1,375.00	\$1,375.00	US Bank
Brendon McCullough 2:16CR198-SMJ-2	\$1,375.00	\$1,375.00	US Bank
Jason Genge 2:16CR0198-SMJ-3	\$1,375.00	\$1,375.00	US Bank
Amy Jo Williams 2:16CR0198-SMJ-04	\$1,375.00	\$1,375.00	US Bank
Cybil Imholt 2:16CR0198-SMJ-1	\$460.00	\$460.00	Money Tree
Brendon McCullough 2:16CR198-SMJ-2	\$460.00	\$460.00	Money Tree
Cybil Imholt 2:16CR0198-SMJ-1	\$210.00	\$210.00	Netflix
Brendon McCullough 2:16CR198-SMJ-2	\$210.00	\$210.00	Netflix

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**ADDITIONAL FORFEITED PROPERTY**

1. Pursuant to 18 U.S.C. § 982(a)(2), the Defendant shall forfeit to the United States the sum of \$26,961.41 U.S. currency, which shall be a joint and several money judgment representing the value of the proceeds obtained from the Conspiracy to Commit Bank Fraud offense alleged in the Information Superseding Indictment, to which the Defendant pleaded guilty.